

REMARKS/ARGUMENTS

Claims 1-21 are currently pending. Applicants have amended claims 1, 19, 20 and 21 and have canceled claim 7. Applicants submit that no new matter has been added as a result of these amendments.

Claims 1-6 and 8-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,822,517 to Dotan (hereinafter "Dotan").

Claims 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Dotan in view of U.S. Patent Application Publication No. 2002/0152399 to Smith (hereinafter "Smith").

Rejections under 35 U.S.C. §102

Claims 1-6 and 8-21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Dotan.

Solely in order to expedite prosecution, Applicants have amended independent claims 1, 19, 20 and 21, and without conceding the merits of the rejection as applied to the previously presented claims, Applicants respectfully submit that the amended claims overcome this rejection. For example, independent claim 1 recites, in part, "storing a representation of configuration data associated with an operating system for the computer system obtained at a first time, wherein the stored representation of configuration data is encrypted prior to being stored." Applicants submit that Dotan is silent as to encrypting configuration data obtained at a first time. Encrypting the configuration data advantageously makes the configuration data less vulnerable to manipulation by hostile software. See Specification at ¶ [0020].

Dotan merely describes a method for comparing of an initial state of an executable program to a final state of the program, and if the final state of the program is different that the initial state of the program, the method generates an alarm signal to inform a user that the program has been modified by a virus and is infected. Dotan determines the initial state of the program when the program is loaded into memory by the operating system and the final state of the program when execution is completed. Alternatively, Dotan may also

determine the final state of the program at the point where execution of the program commences rather than upon completion of execution. See Dotan, Abstract. Dotan does not, however, encrypt the information regarding the initial state of the program, and thus, a malicious program such as a virus could potentially alter the initial program state information so that when a comparison is made between the initial state of the program and the final state of the program, the virus would go undetected.

Therefore, for at least the reasons provided. Dotan fails to anticipate independent claims 1, 19, 20 and 21. Furthermore, dependent claims 2-6 and 8-18, which depend from claim 1, should also be condition for allowance at least due to their dependence from claim 1.

Furthermore, if Dotan were combined with Smith as suggested by the Office Action, the combination of Smith and Dotan would still fail to remedy the deficiencies of Dotan. The Office Action relied upon Dotan to teach "encoding" of the stored representation of configuration data that was formerly recited in claim 7. However, the Smith merely describes encoding of binary attachments to an email message using MIME or other similar encoding methods. Smith, paragraph 0082. Merely encoding an attachment is not the same thing as encrypting the attachment to prevent unauthorized access or modification to the data. For example, MIME encoding of an attachment merely converts the binary attachment to a 7-bit ASCII character set that is compatible with SMTP (Simple Mail Transport Protocol), which enables the attachment to be sent as part of an email message. The contents of a message encoded using MIME or other similar protocols is not encrypted. All that is required to access the MIME encoded content is an email reader or other software that includes a MIME decoder. Therefore, even if Dotan were combined with Smith, the combination still fails to teach all of the elements of independent claims 1, 19, 20 and 21.

Accordingly, Applicants respectfully request that the rejection of claims 1-6 and 8-21 be withdrawn.

Rejections under 35 U.S.C. §103

Claims 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Dotan in view of Smith.

The rejection of claim 7 is moot, because Applicants have canceled claim 7.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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